

Notice of Allowability

Application No.

09/976,040

Examiner

Duy M. Dang

Applicant(s)

LEE, HENRY C.

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to ____.
2. ☐ The allowed claim(s) is/are ____.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date ____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date ____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other ____. |

DETAILED ACTION

1. Applicant's amendment filed on February 12, 2007 has been entered and made of record.

Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Applicant's representative, Mr. Shawn B. Cage (Reg. #51,522 on March 5, 2007).

The application has been amended as follows:

In the Claims:

Please cancel claims 16-21 and 23.

Allowable Subject Matter

3. Claims 1-15 and 22 are allowed.
4. The following is an examiner's statement of reasons for allowance:

In view of Applicant's amendment and response set forth at 4th paragraph of page 8 to page 9, the closest prior art (Hamza) fails to teach or suggest the claimed invention.

Regarding claim 1, Hamza fails to teach or suggest a method for detecting an object image within image data comprising: receiving image data; segmenting the image data into multiple windows; determining a likelihood that each windows contains the object wherein each window is assigned a rank probability and probability rank ordering the multiple windows based on the step of determining; and selecting a predetermined one of the multiple windows as a

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window wherein the object image is considered to reside. Likewise, dependent claims 4 is also allowed for the same reasons.

Regarding claim 2, Hamza fails to teach or suggest a method for detecting an object image within image data comprising: receiving image data; segmenting the image data into multiple windows; determining a likelihood that each windows contains the object and probability rank ordering the multiple windows based on the step of determining; and selecting a predetermined one of the multiple windows as a window wherein the object image is considered to reside, wherein the receiving step comprises collecting and recording the image data as the data emanates back to a receiver. Likewise, claims 5-15 dependent from claim 2 and thus are allowed for the same reasons.

Regarding claim 3, Hamza fails to teach or suggest a method for detecting an object image within image data comprising: receiving image data; segmenting the image data into multiple windows; determining a likelihood that each windows contains the object and probability rank ordering the multiple windows based on the step of determining; and selecting a predetermined one of the multiple windows as a window wherein the object image is considered to reside, wherein the step of segmenting comprises determining a set of image metric data and applying selection criteria to filter false detections and clutter from the image data.

Regarding claim 22, Hamza fails to teach or suggest a method for detecting an object image within image data comprising: receiving image data; segmenting the image data into multiple windows; determining a likelihood that each windows contains the object and probability rank ordering the multiple windows based on the step of determining; and selecting a

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predetermined one of the multiple windows as a window wherein the object image is considered to reside, wherein the determining is performed using an isotropic detector.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duy M. Dang whose telephone number is 571-272-7389. The examiner can normally be reached on Monday to Friday from 6:00AM to 2:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen D. Lillis can be reached on 571-272-6928. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

dmd

3/7/07


DUY M. DANG
PRIMARY EXAMINER